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Dkt. 0575/61238-A/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard J. Deckelbaum et al.,  
U.S. Serial No. : 10/033,629  
Filed : December 28, 2001  
For : USE OF IV EMULSIONS WITH DIFFERENT  
TRIGLYCERIDE COMPOSITION, PARTICLE SIZE  
AND APOLIPOPROTEIN E FOR TARGETED TISSUE  
DELIVERY OF HYDROPHOBIC COMPOUNDS

1185 Avenue of the Americas  
New York, New York 10036  
May 28, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTN: Box Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO JANUARY 28, 2002 NOTICE TO FILE  
MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED  
AND PETITION FOR TWO-MONTH EXTENSION OF TIME

This Communication is submitted in response to the January 28, 2002 Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the January 28, 2002 Notice was due March 28, 2002. Applicants hereby petition for a two-month extension of Time to respond to the Notice. A response is now due May 28, 2002. Accordingly, this Communication is being timely filed.

The Notice to File Missing Parts of Application indicates that the oath or declaration is unsigned. Applicants attach hereto a copy of the Notice as **Exhibit A**. In response, applicants attach hereto as **Exhibit B** a signed copy of a Declaration in connection with the

Richard J. Deckelbaum et al.,  
U.S. Serial No.: 10/033,629  
Filed: December 28, 2001  
Page 2

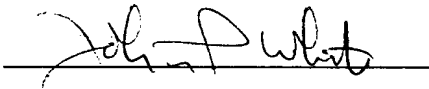
above identified application. In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date

The surcharge under 37 C.F.R. §1.16(e) for submitting the enclosed Declaration for a small entity is SIXTY FIVE DOLLARS (\$65.00). Accordingly, a check including this amount (\$65.00) is enclosed.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

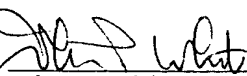
No fee, other than the enclosed total fee of \$265.00 including a \$65.00 surcharge under 37 C.F.R. §1.16(e) and a \$200.00 fee for a two-month extension of time for a small entity, is deemed necessary in connection with the filing of this Communication. If any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



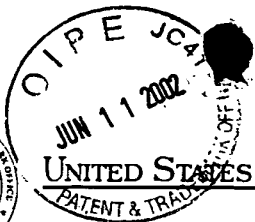
John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. Box Missing Parts



John P. White  
Reg. No. 28,678

5/08/02  
Date



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/033,629	12/28/2001	Richard J. Deckelbaum	0575/61238-A

CONFIRMATION NO. 9269

FORMALITIES LETTER



\*OC00000007379260\*

Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, NY 10036

Date Mailed: 01/28/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Haimanot Tegbaru  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Applicants: Richard J. Deckelbaum et al  
U.S. Serial No.: 10/033,629  
Filed: December 28, 2001  
Exhibit A